

REMARKS

The Official Action of February 27, 2003, has been carefully reviewed. The claims in the application are now claims 2-7, 13-15, and 17-25, with claim 25 now being the sole independent claim. These claims are believed to be in condition for formal allowance consistent with the official action. Applicants respectfully request favorable consideration and early formal allowance.

Applicants note the acknowledgement by the PTO of applicants' claim for domestic priority.

Claim 25 has been objected to as being a substantial duplicate of claim 1. Actually, claim 25 could be interpreted somewhat more broadly than claim 1. Nevertheless, in deference to the Examiner's views and to avoid needless argument, claim 1 has now been deleted and claim 25 is now the sole independent claim in the present application.

Support for the amendment to claim 25 is found in Applicant's specification at page 2, first paragraph under the heading "Summary of the Invention", line 3 thereof, which reads, "So called proximity-probes comprising a binding moiety...". Also see page 3, third paragraph, starting with "The reactive functionality of a proximity-probe...".

Claims 1-7, 13-15 and 17-25 have been rejected under the second paragraph of §112. The rejection is respectfully traversed.

Applicants believe the claims as previously drafted, considered in light of Applicant's specification (fully consistent with the law), would not have been confusing to those skilled in the art, and therefore the claims in their previous form are fully in accordance with §112. At **worst**, claims 1 and 25 in their previous form might be considered objectionable, but **only** as to form.

Nevertheless, and again in deference to the Examiner's views and to avoid or minimize needless argument, some cosmetic amendments have been made in claim 25. Such amendments are of a formal nature only, i.e. made to place the claims in better form consistent with the Examiner's understanding of what is needed under U.S. practice. The amendments in question are not "narrowing" amendments because the scope of the claims has not been reduced. No limitations have been added and none are intended; the meaning of the claims remains the same.

Applicants respectfully request withdrawal of the rejection.

No rejections have been imposed on the basis of any prior art, and indeed the office action indicates that the

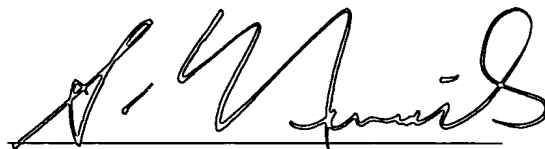
claims are "free of prior art". Applicants accordingly understand that Applicants' claims are deemed by the PTO to define novel and unobvious subject matter under §§ 102 and 103.

Applicants believe that all issues have been resolved and the present application should now be in condition for formal allowance. Such is respectfully requested.

Respectfully submitted,

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